

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of

Heinz-Peter RINK et al.

Serial No.: 10/542,228

Filed: November 2, 2005

For: POLYESTERS COMPRISING  
GROUPS THAT CAN BE ACTIVATED BY  
ACTINIC RADIATION,  
CORRESPONDING METHOD AND  
USE

Group Art Unit: 1796

Examiner: Gennadiy Mesh

Confirmation No.:3088

I hereby certify that the attached correspondence is being submitted by EFS-Web as an eFiled Response, addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on Monday, October 19, 2009.

/AimeeTPeluyera/  
Aimee T. Peluyera

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

In response to the Notice of Non-Compliant Amendment dated October 27, 2009, Applicants respectfully request reconsideration in view of the following remarks.

No extension of time is believed to be necessary. However, Applicant hereby petitions under 37 CFR 1.136 or other applicable rule to have the response period extended the number of months necessary to render the attached communication timely if a petition is required. The Commissioner is hereby authorized to charge to Deposit Account 06-1130 any fees necessary for entry of this amendment and/or extension of time.

Applicants respectfully traverse the determination that the amendment filed October 19, 2009 with an RCE was non-compliant, and request reconsideration and entry of the amendment as filed. The Notice of Non-Compliant Amendment states that claims 31-39, which are labeled as "New" in the amendment, have an incorrect status identifier. Applicants respectfully disagree